

EXHIBIT 9

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KATHRYN TOWNSEND GRIFFIN, ET AL.,

Plaintiffs,
-against-

EDWARD CHRISTOPHER SHEERAN, ET AL.,

Defendants.

CASE NO: 1:17-CV-05221-RJS/GRIFFIN

-----x

7 Times Square
New York, New York

February 1, 2018
9:59 a.m.

Videotaped Deposition of the
Defendant EDWARD CHRISTOPHER SHEERAN,
pursuant to Notice, before CINDY A. AFANADOR,
a Notary Public of the State of New York.

CINDY AFANADOR COURT REPORTING, INC.
516-491-2694
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1 Edward Christopher Sheeran

2 Q. How did you come to the
3 conclusion that the song had sounds -- similar
4 sounds to what you and Amy had written
5 together earlier?

6 MS. FARKAS: Yeah, objection.

7 A. I just knew, 'cause it was a song
8 that we had written and I recognized the vocal
9 melody and as soon as I recognized it, I got
10 in touch with her and we sourced it out.

11 Q. Okay.

12 What were the circumstances that
13 brought you and Ms. Wadge together when you
14 were writing "Thinking Out Loud"; did you get
15 together to write songs or were you getting
16 together as friends?

17 A. Both, I guess. Yeah, we are
18 friends.

19 Q. And where was that?

20 A. In my house in Suffolk.

21 Q. Do you recall when you began
22 recording the songs for "x"?

23 MS. VIKER: Did I get it right?

24 A. No.

25 Q. Do you have any recollection if

1 Edward Christopher Sheeran

2 would be me.

3 Q. Do you recall how you decided it
4 would be you?

5 MS. FARKAS: Objection. No
6 foundation.

7 A. I mean, I'm an artist, so...

8 Q. Is she sort of more of like a
9 support, like a writer?

10 A. Yeah, she's a writer.

11 Q. Okay. Thank you.

12 Did either one of you, either
13 when you were writing or at any time
14 thereafter, discuss or recognize any potential
15 perception that the song "Let's Get It On"
16 sounded reminiscent of "Thinking Out Loud",
17 vice versa, "Thinking Out Loud" and "Let's Get
18 It On"?

19 MS. FARKAS: Objection to form.
20 I would ask you to rephrase that
21 question.

22 MS. VIKER: Okay.

23 Q. At the time that Ms. Wadge and
24 you were writing "Thinking Out Loud", was
25 there any discussion about any similarities or

1 Edward Christopher Sheeran
2 possible perceptions to that and "Let's Get It
3 On"?

4 A. No.

5 Q. Okay.

6 Any time after that, before it
7 was released?

8 A. No.

9 Q. Okay.

10 A. It was always called the Van
11 Morrison song, always.

12 Q. Okay.

13 MR. FRANK: Why was it called the
14 Van Morrison song?

15 Q. Yeah, why was it called the Van
16 Morrison song?

17 A. It emulates the sounds, I guess;
18 piano, guitar, drums, song about love.

19 Q. What's your favorite Van Morrison
20 song?

21 A. "Into The Mystic". Told you we'd
22 get on.

23 Q. That's mine.

24 Yeah, I like you.

25 MS. FARKAS: Let's just --

1 Edward Christopher Sheeran

2 THE VIDEOGRAPHER: We are back on
3 the record at 12:08 p.m.

4 EXAMINATION BY

5 MS. FARKAS:

6 Q. Good afternoon, Mr. Sheeran.

7 A. Hello.

8 Q. So I just wanted to ask you a few
9 questions about the writing and creation of
10 "Thinking Out Loud", okay?

11 A. Um-hmm.

12 Q. So you had discussed earlier a
13 writing session with Amy?

14 A. Yeah.

15 Q. That took place on a particular
16 day at your house; do you remember that?

17 A. Yeah, I don't remember the exact
18 day. I can -- it would be on the timestamp of
19 the iPhone recording, so I can find that.

20 Q. And on that particular day, did
21 you and Amy consider "Thinking Out Loud" a
22 completed song?

23 A. Yeah.

24 Q. And what -- what were the
25 elements of that completed song on that day?

1 Edward Christopher Sheeran

2 A. Guitar and vocals and lyrics.

3 Q. And to your understanding, you
4 had written the song and the song was
5 complete, correct?

6 A. Yes.

7 Q. And did there come a time later
8 on where certain elements were added to the
9 recording of "Thinking Out Loud"?

10 A. It was produced. Yeah, it was --
11 that's production not songwriting.

12 Q. And what do you consider
13 production of "Thinking Out Loud"?

14 A. Well, the song itself is a guitar
15 and a vocal and then production would be
16 anything added to that. So if you put bass or
17 drums or piano on it, that was production.

18 Q. And were drums added to the
19 production -- to the recording of "Thinking
20 Out Loud"?

21 A. Yes.

22 Q. And where was that done?

23 A. Sticky Studios by Jake Gosling,
24 the producer.

25 Q. And so just to be clear, Jake

1 Edward Christopher Sheeran

2 Gosling is the one who added the drums to
3 "Thinking Out Loud"?

4 A. Yes, program drums. They weren't
5 live. They were done on a Cubase.

6 Q. And can you explain what that
7 means for us?

8 A. You have a drum loop or a sound
9 that you chop up and then you place it in.
10 So, like I said, when you put the chords and
11 you have the drum kick come on the one and the
12 bass come on the one as well, so you line it
13 all up with the guitar.

14 Q. And Jake Gosling is the one who
15 added that element?

16 A. Jake Gosling is the producer of
17 the song, yeah.

18 Q. And was someone else responsible
19 for adding the bass to the recording of
20 "Thinking Out Loud"?

21 A. That was Jake as well, the
22 producer, and that's done on a keyboard. It's
23 not real bass.

24 Q. And what other elements were
25 added to the "Thinking Out Loud" song on the

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKKATHRYN TOWNSEND GRIFFIN, HELEN
MCDONALD, and THE ESTATE OF CHERRIGALE
TOWNSEND,*Plaintiffs,*

-against-

EDWARD CHRISTOPHER SHEERAN, p/k/a ED
SHEERAN, ATLANTIC RECORDING
CORPORATION, d/b/a ATLANTIC RECORDS,
SONY/ATV MUSIC PUBLISHING, LLC, and
WARNER MUSIC GROUP CORPORATION, d/b/a
ASYLUM RECORDS*Defendants.*

ECF CASE

17-cv-5221 (RJS)

ERRATA—Transcript of the February 1, 2018 Transcript of Edward Christopher Sheeran

Page	Line	Transcript – verbatim	Correction	Reasons for Making Change
27	21-22	Crown Music Management, but they are now called Tone First	Crown Music Management, but they are now called Turnfirst	Incorrect transcription
62	10	... and we sourced it out	... and we sorted it out	Incorrect transcription

DECLARATION UNDER PENALTY OF PERJURY

I, Edward Christopher Sheeran, do hereby certify under penalty of perjury that I have read the transcript of my deposition take in the above-captioned action; that I have made such corrections as appear noted in the foregoing errata sheet; and that my testimony, as corrected by the foregoing errata sheet, is true and correct.

Dated: March 29, 2018


EDWARD CHRISTOPHER SHEERAN